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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yoshihito OWA

Group Art Unit: 2818

Application No.: 10/782,950

Examiner: N. Ngo

Filed: February 23, 2004

Docket No.: 118825

For: NON-VOLATILE SEMICONDUCTOR MEMORY DEVICE AND METHOD OF
MANUFACTURING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the March 2, 2005 Restriction Requirement, Applicant provisionally elects
Group I, claims 1-9, with traverse.

It is respectfully submitted that the subject matter of all claims 1-14 is sufficiently
related that a thorough search for the subject matter of any one Group of claims would
encompass a search for the subject matter of the remaining claims. Thus, it is respectfully
submitted that the search and examination of the entire application could be made without
serious burden. See MPEP §803 in which it is stated that "if the search and examination of an
entire application can be made without serious burden, the examiner must examine it on the
merits, even though it includes claims to independent or distinct inventions" (emphasis
added). It is respectfully submitted that this policy should apply in the present application in
order to avoid unnecessary delay and expense to Applicants and duplicative examination by
the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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Date: April 1, 2005

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